

REMARKS

Claims 1-12, 14-18, 20-23, and 25-30 remain pending in this application. The pending claims stand rejected. Claims 1, 26, and 29 are independent claims. Independent claims have been amended to remove references to a “user.” It is respectfully submitted that these amendments do not affect the scope of the claims and require no additional searching. The applicant traverses the rejections of the pending claims.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 2, 5-8, 10-12, 14-18, 20-23, and 25-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2003/0115448, application of Bouchard (Bouchard) in view of U.S. Publication No. 2002/0065042, application of Picoult, et al. (Picoult) and further in view of U.S. Publication No. 2004/0117456, application of Brooks (Brooks). Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bouchard in view of Picoult, in view of Brooks, and further in view of U.S. Patent No. 6,795,924, application of Kiessling et al. (Kiessling). Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bouchard in view of Picoult, in view of Brooks, and further in view of U.S. Publication No. 2003/0031320, application of Fan et al. (Fan). These rejections are traversed.

Claim 1 recites that the second attachment is automatically provided by the server to the mobile device when the secure message is opened in response to a user request. In rejecting this subject matter, the office action cited paragraph 31 of Picoult. The cited paragraph from Picoult reads as follows:

[0031] The method flow chart continues at step 260 where data center 120 sends to recipient's determined preferred mobile device 130 ***a message and any attachments. The message*** may be sent directly, automatically, and in accordance with a predetermined sent of criteria or upon the user

prompting the request. At step 270, recipient selects on mobile device 130 ***which message*** recipient desires to receive. At step 280, the recipient may be queried as to whether or not the recipient would like ***the message*** to be sent securely. If the answer to the query at step 280 is “no”, then the method progresses directly along path A. If, however, the answer to the query at step 280 is “yes,” then the method proceeds to step 290 where the message is processed for secure transmission. Secure transmission may be effected in a variety of methods such as by public key, private key encryption, or the like. Such security techniques are well-known in the art of secure messaging; therefore, a detailed description of these secure transfer technologies is not required for an understanding of this invention. The method then progresses from step 290 to continue along path A.

Picoult teaches in this paragraph that a message recipient can specify different options on how a message (which may or may not have any attachments) can be sent to the recipient. As shown by the emphasis above, the options specifically are directed to delivery of the message. In this paragraph of Picoult, the recipient has not even received the message and thus could not have opened the message as required in the last paragraph of claim 1. Additionally in this paragraph of Picoult, any attachments are sent with the message to the recipient and accordingly comprises the exact opposite context and subject matter of claim 1, which provides that the message and the attachment are sent separately, and thus the need arises for the separate transmission of the attachment in the last paragraph of claim 1. Because Picoult does not teach this claim feature of claim 1, claim 1 is allowable and should proceed to issuance.

Furthermore, on page 3 of the office action, the examiner agrees that Bouchard does not disclose that *the second attachment is automatically provided by the server to the mobile device when the secure message is opened in response to a user request*. Thus, such a teaching must come from another of the references. As discussed above, Picoult does not disclose such claim feature because Picoult does not teach or suggest automatically providing a second attachment when the secure message is opened in response to a user request. Thus, the examiner’s rejection

lacks support at least regarding such claim feature. It is respectfully submitted that the §103 rejection against claim 1 be withdrawn.

Independent claims 26 and 29 recite subject matter analogous to the subject matter of claim 1. Thus, claims 26 and 29 are patentable over the cited references for at least the reasons set forth above with respect to claim 1. In addition, it is noted that the assignee has not provided arguments with respect to certain of the dependent claims in the instant application. This is done without prejudice to the assignee's right to present arguments regarding any of the dependent claims at any point in the future. Further, because each of the dependent claims in the instant application depends from a base claim that is itself allowable, the dependent claims are allowable for at least the reasons set forth with respect to the base claims.

CONCLUSION

For the foregoing reasons, assignee respectfully submits that the pending claims are allowable. Therefore, the examiner is respectfully requested to pass this case to issuance.

Respectfully submitted,

January 19, 2010

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